



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
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2107473

December 14, 2005

Sent by Federal Express

Robert Wright, President & CEO
National Broadcasting Company, Inc.
30 Rockefeller Plaza
New York, NY 10112

Re: CERCLA §106 First Amended Unilateral Administrative Order (UAO) 2004-0004
Omega Chemical Superfund Site
Whittier, California

Dear Robert Wright:

In October 2005, the U.S. Environmental Protection Agency ("EPA") met with Peter McGaw, counsel to the Omega Small Volume Group ("OSVOG") and some of the OSVOG members to discuss issues raised in Mr. McGaw's October 17th letter to EPA regarding the subject order ("the Amended Order" or "the Order"). My purpose in writing to you at this time is to follow up on a specific issue discussed in that meeting, namely "cash outs" for OSVOG members.

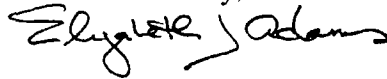
OSVOG asked that EPA consider resolving the liability of, or "cashing out" its members that are in difficult financial situations. With the exception of ability to pay (ATP) parties, EPA has not cashed out any major parties at this Site. Rather than EPA performing the cash-outs, we have inquired through counsel whether OSVOG would cash out these parties internally. If OSVOG decides to cash out parties, EPA will not enforce the Amended Order with regard to any parties that OSVOG cashes out. Nor will we pursue those parties in the future as long as OSVOG has assumed their liability and is providing cleanup work or funds at the Site. An internal cash out will generate additional funds to complete the work required under the Amended Order, and it will give closure to OSVOG parties which may have a limited ability to pay in the future.

To date, we have not received a response to our inquiry regarding internal cash outs. If EPA does not receive a response regarding OSVOG cash-outs by January 10th, 2006, we will assume that it will not perform the internal cash-outs. In the meantime, EPA will be preparing a response to the issues regarding the Order raised by OSVOG's counsel in his letter of October 17, 2005. Once again, if any party feels it has an inability or limited ability to pay, we encourage that party to make an ATP claim. Should you have any technical questions regarding the Amended Order or would like to make an ATP claim, please contact Chris Lichens at (415) 972-3149. For all legal questions, please contact Thanne Cox at (415) 972-3908.

OSVOG Parties
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Thank you for your time and cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth J. Adams". The signature is fluid and cursive, with the first name "Elizabeth" written in a larger, more prominent script than the last name "Adams".

Elizabeth J. Adams
Chief, Superfund Site Cleanup Branch

cc: Peter McGaw, Archer Norris
Chris Lichens, EPA
Thanne Cox, EPA
Linda Ketellapper, EPA
Fred Schauffler, EPA
Lori Parnass, DTSC



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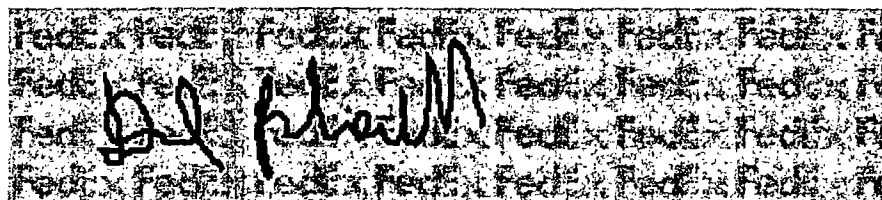
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